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# The Ideal of Equality in Political Philosophy

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## 1 Introduction

From all the disciplines in the Humanities, political philosophy seems to be the natural home base for ideals. History provides us with several appealing examples: The French revolution took place in name of *Liberty, Equality, and Fraternity*, while Marxists were united under the slogan *From each according to his ability, to each according to his needs*.<sup>1</sup> Of course, such ideals are never completely realizable. Nevertheless they are essential notions in political philosophy because they enable to extend “what are ordinarily thought of as the limits of practical political possibility.”<sup>2</sup> As such, ideals provoke our imagination and function as guiding ideas in the transition from the status quo towards an ideal state of the world. Indeed, especially within political philosophy, ideals are helpful tools because they “transcend concrete formulation and implementation by way of principles and rules, they are open to continuous reformulation in the light of new circumstances.”<sup>3</sup>

This chapter discusses the ideal of equality in political philosophy. Equality can be discussed at different levels of abstraction, following the distinction between ‘concept’ and ‘conception.’<sup>4</sup> At a high level of abstraction we refer to equality as a *concept*; at a lower level of abstraction, we refer to the *conception* of equality as a particular interpretation of that concept. As Dworkin explains: “At the first level agreement collects around discrete ideas that are uncontroversially employed in all interpretations; at the second the controversy latent in this abstraction is identified and taken up.”<sup>5</sup> Concepts are phrased in such a high level of abstraction that possible disagreements about their interpretation and implementation are concealed. Only when they are made more concrete, that is, translated into conceptions, these disagreements come to the fore. Argued the other way around, two conceptions of justice that look different at first sight, might share one underlying concept. This is the line of thought that I shall follow in this paper, bridging two strands of thought in contemporary political philosophy: liberal egalitarianism and multiculturalism. Liberal egalitarianism focuses on welfare-state redistribution whereas multiculturalists focus on accommodation of

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<sup>1</sup> Karl Marx, “Critique of the Gotha Programme,” in *Marx/Engels Selected Works in One Volume*, ed. Karl Marx and Friedrich Engels (London: Lawrence and Wishart, 1875), p. 321.

<sup>2</sup> John Rawls, *The Law of Peoples* (Cambridge, Mass.: Harvard University Press, 1999), p. 6.

<sup>3</sup> Wibren van der Burg, “The Importance of Ideals,” *The Journal of Value Inquiry* 31 (1997), p. 29.

<sup>4</sup> Ronald Dworkin, *Taking Rights Seriously* (London: Duckworth, 1977), pp. 134-136; John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), pp. 14, n. 15; Wibren van der Burg, *Het democratisch perspectief. Een verkenning van de normatieve grondslagen der democratie* (Arnhem: Gouda Quint, 1991), p. 125.

<sup>5</sup> Ronald Dworkin, *Law's Empire* (Cambridge, Mass.: The Belknap Press, 1986), p. 71.

social and cultural diversity. Although both strands of thought are dominant in contemporary political philosophy, there has been little cross-boundary public debate. They are generally seen as distinct paradigms, with different (and possibly contradicting) assumptions and methods – aptly summarized by Nancy Fraser as the dilemma between redistribution and recognition.<sup>6</sup> Although one of the classics in multiculturalism, Kymlicka's *Multicultural Citizenship*, is defended as *A Liberal Theory of Minority Rights*, liberals have not been too enthusiastic to include multiculturalists in their midst.<sup>7</sup> Brian Barry, for example, claims that: "I have found that there is something approaching a consensus among those who do not write about it that the literature of multiculturalism is not worth wasting powder and shot on."<sup>8</sup>

Instead, I shall argue that these two approaches have more in common than the liberal-egalitarian critics of multiculturalism, the 'doctrinaire liberals' like Barry, are willing to admit.<sup>9</sup> Moreover, I shall argue that an ideal-oriented approach enables us to find this shared basis. The concept of equality shall be interpreted as an ideal that can bridge the divide between adversaries in this political-philosophical debate.<sup>10</sup> Both approaches share the same concept of equality as the underlying ideal and they can be seen as consistent, equivalent, and non-conflicting conceptions thereof.

## 2 The liberal concept of equality: *equal respect and concern*

We can find a first formulation of the concept of equality in Ronald Dworkin's work, namely his *abstract egalitarian claim*:

I presume that we all accept the following postulates of political morality. Government must treat those whom it governs with concern, that is, as human beings who are capable of suffering and frustration, and with respect, that is, as human beings who are capable of forming and acting on intelligent conceptions of how their lives should be lived. Government must not only treat people with concern and respect, but with equal concern and respect.<sup>11</sup>

This claim sums up three important elements of Dworkin's approach. Firstly *moral individualism*. In our evaluation of government and its institutions we should only focus on the interests of the members of the

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<sup>6</sup> Nancy Fraser, "From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age," *New Left Review* 212 (1995).

<sup>7</sup> Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press, 1995).

<sup>8</sup> Brian Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism* (Cambridge, Mass.: Harvard University Press, 2001), p. 6.

<sup>9</sup> Cf. the title of David Miller's review of Barry's book: *Doctrinaire Liberalism versus Multicultural Democracy* David Miller, "Doctrinaire Liberalism versus Multicultural Democracy," review of Brian Barry's "Culture and Equality", *Ethnicities* 2, no. 2 (2002).

<sup>10</sup> (Van der Burg and Taekema: \*\*\*)

<sup>11</sup> Dworkin, *Taking Rights Seriously*, pp. 272-273.

community.<sup>12</sup> Only persons are seen as ‘ends in themselves’ unlike, e.g. tradition, the family, tribe or ethnic, cultural or religious communities. Secondly, *impartiality*. From a moral point of view, there are no privileged persons: everyone’s life has the same value.<sup>13</sup> Therefore, each individual’s interests are equally important in our evaluation of institutions. Finally, Dworkin focuses on the role of government: the abstract egalitarian claim starts from the standpoint of *politics*. Government has an important role in providing the basic conditions, necessary for the well-being of its citizens: “equality as a political virtue demands ... not only an attitude, but concrete institutions.”<sup>14</sup>

### 3 A first conception of equality: *equality of resources*

From 1981 onwards, Ronald Dworkin published four articles under the name “What is equality?” which have become classics in the literature on distributive justice. They are reprinted as the first four chapters in *Sovereign Virtue*.<sup>15</sup> Dworkin provides a defense of the welfare state and his work has generated a rich literature on economic justice.<sup>16</sup> Besides the abstract *concept* of equality – the abstract egalitarian claim – his work on redistributive justice also gives a conception thereof, namely *equality of resources*.

Dworkin develops his theory of distributive justice from a counterfactual example, an imaginary story in which a group of people is shipwrecked on a desert island with abundant resources. Dworkin seeks to demonstrate the role and effects of the abstract egalitarian claim in a ‘state of nature’, a situation in which immigrants have to make decisions about the design of their societal institutions. This detour via *ideal theory* is a common element in political philosophy.<sup>17</sup> The idea is that one has to abstract from concrete situations in society to be able to formulate principles of justice. One starts by describing a hypothetical situation in which contingent and unjust institutional heritages of our actual world do not exist (e.g. accumulation of wealth in specific families, history of slavery, the feudal system). Moreover, other interfering issues of injustice are removed to focus only on the issue at hand. Such abstractions “are justified only because they enable us to focus on certain main questions free from distracting details.”<sup>18</sup> Moreover, ideal theory can help us to formulate the line of action we should undertake, given the ideals we are committed to. Any observation of a gap between our ideals and political practice should not be seen as a critique of our ideals to be “unduly

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<sup>12</sup> Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge, Mass.: Harvard University Press, 2000), p. 5.

<sup>13</sup> James Rachels, *The Elements of Moral Philosophy*, 4th ed. (New York [etc.]: McGraw-Hill, 2003), p. 13.

<sup>14</sup> Ronald Dworkin, “Do Liberty and Equality conflict?,” in *Living as Equals*, ed. Paul Barker (Oxford: Oxford University Press, 1996), p. 44.

<sup>15</sup> Dworkin, *Sovereign Virtue*.

<sup>16</sup> It is therefore important to distinguish Dworkin’s work and reputation in jurisprudence from his work and reputation in political philosophy – especially in the field of distributive justice. Here Dworkin inspired G.A. Cohen, John Roemer, Eric Rakowski, Richard Arneson, Derek Parfit and Philippe van Parijs, to name a few.

<sup>17</sup> Of course, Thomas More’s *Utopia* and John Rawls’s *Veil of Ignorance* are the most notorious examples of the use of ideal theory in political philosophy.

<sup>18</sup> Rawls, *Political Liberalism*, p. 12.

demanding in practice;” instead it be seen as “a critique of our practice as insufficiently attentive to our principles.”<sup>19</sup>

Once the ‘principles of justice’ have been formulated in this ideal situation, they are used as criteria in our evaluation of justice in the real world. Ideal theory should “provide some guidance in thinking about nonideal theory, and so about difficult cases how to deal with existing injustices. It should also help to clarify the goal of reform and to identify which wrongs are more grievous and hence more urgent to correct.”<sup>20</sup> The inherent hypothetical character of ideal theory is not by default a disqualifier. Quentin Skinner argues that ideal theory can show us what line of action we should undertake, given the ideals we are committed to.<sup>21</sup>

Dworkin assumes that the shipwrecked people on the utopian island agree that “no one is antecedently entitled to any of these resources, but that they shall instead be divided equally among them.”<sup>22</sup> Their deliberation proceeds in two steps. The first contains an auction in which the resources, available on the island (ground, cattle etc.) are divided equally amongst the shipwrecked.<sup>23</sup> In the second stage, institutions are developed to preserve this equal distribution of resources in a dynamic economy with labor, investment and trade.<sup>24</sup> Dworkin asserts that the deliberations of the immigrants will result in a rule of fair distribution that he summarizes as follows:

[W]e must ... recognize that the requirements of equality pull in opposite directions. On the one hand we must ... allow the distribution of resources at any particular moment to be (as we might say) ambition-sensitive. It must, that is, reflect the cost or benefit to others of the choices people make so that, for example, those who choose to invest rather than consume, or to consume less expensively rather than more, or to work in more rather than less profitable ways, must be permitted to retain the gains that flow from these decisions in an equal auction followed by free trade. But on the other hand, we must not allow the distribution of resources at any moment to be endowment-sensitive, that is, to be affected by differences in ability of the sort that produce income differences in a laissez-faire economy among people with the same ambitions.<sup>25</sup>

This formulation exemplifies again Dworkin’s statocentric approach. Since a distribution of resources in a laissez-faire society is not choice-sensitive and endowment-insensitive by default, the implicit argument here is that the ideal of equality presupposes a clear role for government. The government should aim at a *choice-sensitive* distribution of resources, for example by supporting personal autonomy, fighting monopolies, and formulating anti-trust laws<sup>26</sup>. Moreover it should strive for the *endowment-insensitivity* of the distribution of

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<sup>19</sup> Quentin Skinner, *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1998), p. 79.

<sup>20</sup> John Rawls, *Justice as Fairness: A Restatement*, ed. Erin Kelly (Cambridge, Mass.: Harvard University Press, 2001), p. 13.

<sup>21</sup> Skinner, *Liberty Before Liberalism*, pp. 78-79.

<sup>22</sup> Dworkin, *Sovereign Virtue*, pp. 66-67.

<sup>23</sup> *Ibid.*, pp. 5-71.

<sup>24</sup> *Ibid.*, pp. 66-67.

<sup>25</sup> *Ibid.*, p. 89.

<sup>26</sup> *Ibid.*, pp. 120-183.

resources. Dworkin focuses on two unchosen endowments in particular: handicaps and lack of talents. His redistributive approach focuses on the limited individual earning capacities resulting from these endowments. To this effect Dworkin proposes a “periodic redistribution of resources through some form of income tax.”<sup>27</sup>

Moreover, this formulation of the conception of equality is entirely phrased in terms of distribution of resources; it is essentially a theory of distributive or economic equality.<sup>28</sup> Dworkin simply takes for granted that justice requires the equal distribution of *something*.<sup>29</sup> “Our final aim is that an equal share of resources [is] devoted to the lives of each person.”<sup>30</sup> Dworkin’s preoccupation with distributive justice can be understood in the light of the circumstance that the paper is written in the mid-1970s, as a defense of welfare state arrangements against attacks inspired by libertarians.<sup>31</sup> As a result, Dworkin’s theory is (generally interpreted as) primarily a defense of distributive justice. However, as I shall argue, distributive justice is only one interpretation of, and anchored in the more general ideal of equality.

#### 4 A reformulation of the liberal concept of equality

I have described Dworkin’s work in terms of a *concept of equality* – claiming that government should treat its citizens with equal respect and concern and a *conception* thereof – his assertion that government should strive for a distribution of resources in society is both choice-sensitive and endowment-insensitive. Although the maxim of equal respect and concern is clear in its intention, it does not give much direction.<sup>32</sup> In this section I will reformulate the concept of equality by including elements of its conception as presented in section 3, without also including its distributive focus. The concept of equality can be formulated as follows:

Inequalities in the advantages people enjoy due to choices about the good life are seen as part of the personal autonomy and responsibility and therefore morally legitimate. Inequalities in the advantages people enjoy that derive from unchosen features of their endowments are seen as morally arbitrary and therefore generate a responsibility for government to remedy this inequality.

The assertion that government should distinguish in its policies between choice-sensitivity and endowment-insensitivity is implicit in the abstract egalitarian claim, given the emphasis of respect *and* concern. The idea that government should treat citizens with *equal respect* demands that choice involves personal responsibility. Government should respect the autonomy of individuals and therefore not interfere with personal preferences or ambitions by force or manipulation. As a result, persons themselves are responsible for (the formation of) their aims, ambitions, and decisions and, therefore, the consequences thereof.

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<sup>27</sup> Ibid., pp. 90-91, see also 92-109.

<sup>28</sup> Dworkin, *Taking Rights Seriously*, p. 135.

<sup>29</sup> Samuel Scheffler, “What is Egalitarianism?” (paper presented at the *Center for Politics, Law, and Society Seminar Series*, University College London, London, 23 January 2002), p. 11.

<sup>30</sup> Dworkin, *Sovereign Virtue*, pp. 84-85.

<sup>31</sup> E.g. Robert Nozick, *Anarchy, State and Utopia* (New York: Basic Books, 1974).

<sup>32</sup> Dworkin, *Taking Rights Seriously*, p. 135.

Therefore equal respect implies that government should make a big effort to ensure that citizens bear the true costs and benefits of their choices and decisions.

The idea that government should treat citizens with *equal concern* demands that endowments induce collective responsibility. In the case of endowments there is no moment in which a person, through choosing, can make a difference, instead, endowments simply involve brute bad luck. The concept of equality demands that government has a duty to act to compensate adverse consequences of unchosen endowments – e.g. limited individual earning capacities resulting from handicaps and lack of talent. Of course, not every inequality can be rectified, or only at too high a cost. The paradigmatic example is the forced transfer of body parts, e.g. when a sighted person has to donate one eye to a blind person. In this case the remedy is seen as worse than the disease because it wrongfully interferes with the bodily integrity of the sighted person.

In this way, the abstract egalitarian claim implies a division of responsibility between individuals and government. It is a formulation of equality as an ideal: it is a *value that is never completely realizable*, because it is a “compromise of two conflicting requirements of equality, in the face of both practical and conceptual uncertainty how to satisfy these requirements.”<sup>33</sup> Moreover, this ideal of equality plays *a role in justifying decisions and opinions*, since it is the background against which equality of resources is defended.<sup>34</sup>

Moreover, this formulation of the ideal of equality is a concept in the concept/conception distinction as described in the introduction, because it is abstract enough to generate general support.<sup>35</sup> “The best, perhaps the only, argument for the egalitarian principle lies in the implausibility of denying any of the components that make it up....”<sup>36</sup> Indeed, only racists might be capable of doing so.<sup>37</sup>

## 5 Is socioeconomic distribution the only valid conception of equality?

The importance of the conceptual contribution by liberal-egalitarians on distributive justice is undisputed. But they have been criticized for limiting the ideal of equal respect and concern, to this narrow scope of distributive justice. Doing so, they have ignored many issues, central in current political debates, such as social and cultural diversity and multiculturalism. Iris Marion Young claims that, although “distributive issues are crucial to a satisfactory conception of justice, ... it is a mistake to reduce social justice to

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<sup>33</sup> Dworkin, *Sovereign Virtue*, p. 91.

<sup>34</sup> (Van der Burg and Taekema: \*\*\*)

<sup>35</sup> Will Kymlicka uses the abstract egalitarian claim as the founding idea of his textbook on contemporary political philosophy. Will Kymlicka, *Contemporary Political Philosophy. An Introduction*, 2nd ed. (Oxford: Oxford University Press, 2002), pp. 1-9, esp. 3-4. It should be seen as an egalitarian plateau against which differential theories can be compared. Libertarians, for example, could argue that the interests of the members of society are best guaranteed by an extensive interpretation of equal self-ownership rights.

<sup>36</sup> Ronald Dworkin, “In Defense of Equality,” *Social Philosophy and Policy* 1, no. 1 (1983), p. 32.

<sup>37</sup> But, again, racists presuppose equality amongst ‘whites’ and ‘blacks,’ so even racists cannot escape the egalitarian logic.

redistribution.”<sup>38</sup> Elisabeth Anderson claims that Dworkin and other liberal-egalitarians neglect “the much broader agendas of actual egalitarian political movements” discussing, for example, racial and gender inequality, etc. Therefore she claims that they have a flawed understanding of equality and precisely miss “the point of equality.”<sup>39</sup> Kymlicka argues that most countries today are culturally diverse and that this diversity gives rise to a series of important and potentially divisive questions. “Finding morally defensible and politically viable answers to these issue is the greatest challenge facing democracies today.”<sup>40</sup> However, this challenge is not answered by contemporary liberal egalitarians: because they “have operated with an idealized model of the polis in which fellow citizens share a common descent, language, and culture.” Moreover, they seem to assume that “the culturally homogeneous city-states of Ancient Greece provided the essential or standard model of a political community.”<sup>41</sup> Indeed, the issue of distributive justice has dominated current liberal egalitarianism whereas the issue of cultural diversity has long been ignored. I agree with Samuel Scheffler’s conclusion that:

[U]nless the relations between distributive norms and broader ideals of equality are kept firmly in view, the putatively artificial device of treating distributive equality as an independent topic can all too easily take on a life of its own, and the inquiry can lose touch with what is ultimately at stake when questions of distribution are debated. The trajectory of the luck-egalitarian literature over the years seems to me to provide a clear illustration of this danger.<sup>42</sup>

Socioeconomic redistribution has dominated liberal egalitarianism while other conceptions of equality have been ignored. Multiculturalism, for example, has also been an important strand in political philosophy, but excluded from the egalitarian circle. One can doubt whether this exclusive attitude by luck egalitarians is justified. Dworkin explicitly acknowledges that distributive equality “is only one aspect of the more general problem of equality, because it sets aside a variety of issues that might be called, by way of contrast, issues about political equality.”<sup>43</sup> Moreover he argues that:

Distributional equality, as I describe it, is not concerned with the distribution of political power, for example, or with individual rights other than rights to some amount or share of resources. It is obvious, I think, that these questions I throw together under the label of political equality are not so independent from issues of distributional equality as the distinction might suggest ... But it nevertheless seems likely that a full theory of equality, embracing a range of issues including political and distributional equality, is best approached by *accepting initial, even though somewhat arbitrary, distinctions among these issues*.<sup>44</sup>

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<sup>38</sup> Iris Marion Young, “A Multicultural Continuum: A Critique of Will Kymlicka’s Ethnic-Nation Dichotomy,” *Constellations* 4, no. 4 (1997), p. 16.

<sup>39</sup> Elisabeth Anderson, “What Is the Point of Equality?,” *Ethics* 109 (1999), p. 288.

<sup>40</sup> Kymlicka, *Multicultural Citizenship*, p. 1.

<sup>41</sup> *Ibid.*, p. 2.

<sup>42</sup> Scheffler, “What is Egalitarianism?” pp. 25-26.

<sup>43</sup> Dworkin, *Sovereign Virtue*, p. 12.

<sup>44</sup> *Ibid.*, pp. 12, emphasis added.



The application of the abstract egalitarian claim in the imaginary story of the shipwrecked is a helpful ideal-theoretical tool to illustrate the intuitive strength of the choice-endowment distinction. In this hypothetical society, Dworkin tailors his cases and argues from trivial examples. This enables him to demonstrate the logic of the choice-endowment distinction. In his examples the endowment-element is so evident that the choice-element is locked out and vice versa. So, equality of resources is not a set of first principles. Instead, it is one conception of equality, an important one, that is also used as an example to spell out of the more general concept of equality.<sup>45</sup>

Brian Barry, on the other hand, is convinced that equality and multiculturalism have nothing in common. He argues that multiculturalism takes away the attention from the really important issue, namely socio-economic inequalities.<sup>46</sup> He warns us that the “whole thrust” of multiculturalism is “that it seeks to withdraw from individual members of minority groups the protections that are normally offered by liberal states.”<sup>47</sup> And indeed, some multicultural claims might be focused on cultures themselves and therefore inconsistent with moral individualism.<sup>48</sup> But, as I will argue in the next section, there is no *intrinsic* incompatibility between multiculturalism and liberal egalitarianism.

## 6 Multiculturalism as a second conception of equality

Dworkin has simplified the examples in the ‘fable of the shipwrecked’ to clarify the choice-circumstance distinction. However, outside ideal theory, and especially in the context of multicultural societies, the choice-endowment distinction, so clear as an analytical device, gets blurred. I will discuss the notions of choice and endowment concepts in turn.

### 6.1 Reconsidering Endowments

Iris Marion Young argues that liberal-egalitarians have focused too much on the question *what* should be distributed equally – resources, welfare, opportunities for welfare, access to advantage, etc.<sup>49</sup> The result is that liberals neglected the flipside of the egalitarian coin, namely, the question of *equality of whom*. If we claim that people should be treated with equal respect and concern, which categories or groups of people are we discussing? Precisely this question, ignored by liberal egalitarians, is central to many actual political debates in multiculturalism. These debates start by comparing actual social and cultural groups: women and men, whites and people of color, members of minority and majority religious groups, etc. In these discussions, the language of redistribution of resources is not very helpful. Young seeks to provide an

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<sup>45</sup> Scheffler, “What is Egalitarianism?” p. 25.

<sup>46</sup> Barry, *Culture and Equality*, pp. 63-64.

<sup>47</sup> Ibid., p. 326.

<sup>48</sup> Examples are Charles Taylor, “The Politics of Recognition,” in *Multiculturalism and the Politics of Recognition*, ed. Amy Gutmann (Princeton: Princeton University Press, 1994); Avishai Margalit and Moshe Halbertal, “Liberalism and the Right to Culture,” *Social Research* 61, no. 3 (1994).

<sup>49</sup> Iris Marion Young, “Equality of Whom? Social Groups and Judgments of Injustice,” *The Journal of Political Philosophy* 9, no. 1 (2001).

alternative approach and therefore she focuses on the question “whether and how such group-conscious practices of assessing inequality are justified.”<sup>50</sup>

In her evaluation of liberal-egalitarians, Young focuses on the individualistic character of their approach. On the one hand she endorses that “the ultimate purpose of making assessments of inequality is to promote the well-being of individuals considered as irreducible moral equals.”<sup>51</sup> That is, she shares the liberal egalitarian *moral individualism* (see sect. 2). Moreover, she endorses the intuitions towards endowments and choices, as conceptualized in the ideal of equality, and the importance of their distinction in a normative framework.<sup>52</sup>

However, she criticizes the liberal-egalitarian *methodological individualism*, that is, the claim that only individual choices and endowments can cause morally relevant inequalities. Indeed, Dworkin’s conceptualization of endowment, is very individualistic, only concentrating on physical and mental characteristics of the person: physical and mental powers, genetic predisposition to particular diseases, and personal resources of health, strength, and talent.<sup>53</sup> For this reason, we could name them *natural endowments*. Young argues that many other instances of injustice cannot be understood if one only focuses on individual attributes of personal inability.

Instead, the causes of many inequalities of resources or opportunities among individuals lie in social institutions, their rules and relations, and the decisions others make within them that affect the lives of the individuals compared.<sup>54</sup>

Evaluating inequality in terms of social groups enables us to claim that some situations are unjust, although they cannot be recognized as unjust in the framework of distributive justice. Also Kymlicka argues that since no one *chooses* to be born in a minority culture, the choice-endowment logic demands that they should somehow be seen as an endowment. Therefore the concept of endowments should not only include natural endowments but also elements of one’s social environment.<sup>55</sup>

Group-based evaluations are helpful because they reveal inegalitarian effects of institutional relations and processes in society.<sup>56</sup> To acknowledge these (inegalitarian) effects of institutions, we have to understand social mechanisms and social structures. *Social mechanisms* are well-established and recurring patterns of

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<sup>50</sup> Ibid., p. 1.

<sup>51</sup> Ibid., p. 6.

<sup>52</sup> Ibid., pp. 6-8.

<sup>53</sup> Dworkin, *Sovereign Virtue*, pp. 81, 287 and 322.

<sup>54</sup> Young, “Equality of Whom?,” p. 8.

<sup>55</sup> Will Kymlicka, *Liberalism, Community, and Culture* (Oxford: Clarendon Press, 1989), pp. 186-188. In this book Kymlicka attempts to defend attention for cultural difference by adjusting Dworkin’s model of the shipwrecked immigrants in such a way that not one but two – culturally different – groups of shipwrecked arrive at the island simultaneously. Kymlicka, *Liberalism, Community, and Culture*, pp. 192-194.

<sup>56</sup> Young, “Equality of Whom?,” p. 2.

behavior in society.<sup>57</sup> The working of social mechanisms cannot be reduced to discernable individuals and their considerations and preferences. Instead, it must be understood in terms of interpersonal processes, conventions, social norms, and herding. Over time, these social mechanisms have resulted in social structures. A *social structure* can be described as the way in which social life is organized into predictable relationships and patterns of social interaction – including social positions and the related status and role differentiation between them. Social structures are the inevitable result of living together and social cooperation. Results of social structures are *social institutions* such as the educational system, the welfare state, legal, economic and political institutions, and the geographical layout of cities. The complex of social structures in society can be brought together under the name of *basic structure of society*.

The options and possibilities, available to individuals are not only determined by their natural endowments – as discussed by liberal-egalitarians – but also by the way society is organized. John Rawls argues that the basic structure of society:

... [C]ontains various social positions and ... men born into different positions have different expectations of life determined, in part, by the political system as well as by economic and social circumstances. In this way the institutions of society favor certain starting places over others. These are especially deep inequalities. Not only are they pervasive, but they affect men's initial chances in life."<sup>58</sup>

Rawls mainly focuses on socio-economic inequalities between classes, whereas multiculturalists broaden the analysis to group-differentiations of gender, ethnicity, sexual preference, and other “ascribed characteristics that historically served as markers of inferiority and exclusion. ... Categories such as these name groups [that] are positioned by social structures that constrain and enable lives in a way that is largely beyond their individual control.”<sup>59</sup> These inequalities are caused by social mechanisms and social structures and are *structural inequalities* because:

They describes a set of relationships among assumptions and stereotypes, institutional policies, individual actions following rules or choosing in self-interest, and collective consequences of these things, which constrain the options of some at the same time as they expand the options of others.<sup>60</sup>

The resulting inequalities are not reducible to individual characteristics, since they typically affect individuals *because* they are members of a specific group. They “are positioned by social structures that constrain and enable individual lives beyond their individual control.”<sup>61</sup> Understanding behavior in terms of social mechanisms reveals that “people themselves treat others as group members, and that the product of many such actions sometimes results in structural inequalities.”<sup>62</sup> Social structures make that individuals,

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<sup>57</sup> Although they do not need to have a law-like causal necessity.

<sup>58</sup> John Rawls, *A Theory of Justice*, rev. ed. (Oxford: Oxford University Press, 1999), p. 7.

<sup>59</sup> Young, “Equality of Whom?,” pp. 4, 6.

<sup>60</sup> Ibid., p. 11.

<sup>61</sup> Ibid., p. 6.

<sup>62</sup> Ibid., p. 17.

“despite any good intentions they might have, act and react in a way that has the aggregate effect of structural inequality.”<sup>63</sup>

So, besides inequalities caused by *natural endowments*, such as handicaps and lack of talent, we can identify inequality caused by what we could call *societal endowments*.<sup>64</sup> They are named societal endowments because someone’s gender, color of skin, etc., are unchosen elements of one’s being that affect one’s options and chances. A societal endowment does not *in itself* determine someone’s life inescapably, in the way natural endowments do – e.g. the inability to see. Societal endowments affect the situation of persons via “social structures that involuntarily position people, constraining some more than others and privileging some more than others.”<sup>65</sup>

This implies that it is very well possible for multiculturalists to start from the ideal of equality and embrace the idea that endowments generate morally relevant inequalities. But they do not use the detour of ideal theory; instead they focus on real-life issues of injustice, and broaden the concept of morally relevant endowments, by also acknowledging societal endowments. However, societal endowments are less straightforward to recognize. Dworkin restricts himself to useful and clear-cut examples of endowments, and his ideal-theoretical approach enables him to argue in a clear deductive cause-effect logic: endowments cause inequality. Once we have discovered the morally relevant endowments, we can identify the correlating categories of persons between whom government should redistribute resources. However, societal endowments cannot be explained in such straightforward cause-effect logic. Although we can observe clear differential positions of social groups in society – for example between men and women or people of color and whites – it is less obvious to recognize the cause of that inequality, and whether this cause is a choice or an endowment. This is not a distinction of strong and weak theories, but, instead, a result of differences between ideal theory – deliberately excluding ambiguous cases – and non-ideal theories for the real world. As mentioned above, Dworkin tailored his cases to exemplify the logic of the ideal of equality.

In itself, there is nothing wrong with (starting with) straightforward examples: usually they are the best illustrations of a theoretical position. The multicultural analysis, however, goes one step further, by using the liberal egalitarian ideal-theoretical framework to evaluate less straightforward cases. In these cases we need an inductive method and to argue in an inverse logic: from evident result, namely inequalities to possible causes, namely societal endowments. To be sure that these inequalities are morally relevant, we have to formulate some requirements to confirm that they are really caused by unchosen societal endowments.<sup>66</sup> Firstly, it should be observable that a specific category of individuals is unequal to others on certain important measures of well-being. The groups evaluated should be “generally recognized social positions” in the basic structure of society. Second, we need to give a plausible explanation for the observed inequality in

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<sup>63</sup> Ibid., p. 9.

<sup>64</sup> The terms ‘natural endowments’ and ‘societal endowments’ are developed in Roland Pierik and Ingrid Robeyns, “Dworkin on Sen: on the Role of Social Mechanisms in Egalitarian Theory,” (2001).

<sup>65</sup> Young, “Equality of Whom?,” p. 7.

<sup>66</sup> Ibid., pp. 15-16.

terms of societal endowments: “about how the relations, rules, expectations, and cumulative consequences of collective action specifically condition the lives of that group.” Finally, we need a plausible explanation how the social mechanisms and the social structures account for observed inequalities. “We must explain how institutional rules and policies, individual actions and interactions, and the cumulative collective and often unintended material effects of these relations reinforce one another in ways that restrict the opportunities of some to achieve well-being in the respect measured, while it does not so restrict that of the others to whom they are compared, or even enlarge their opportunities. This story will be aided, moreover, by evidence that the basic configuration of the patterns shows little change over decades.”<sup>67</sup>

Let me conclude. In section 4 I formulated the endowment part of the ideal of equality as follows: *Inequalities in the advantages people enjoy that derive from unchosen features of their endowments are seen as morally arbitrary and therefore generate a responsibility for government to remedy this inequality.* Besides morally relevant inequalities generated by *natural endowments* as discussed by liberal egalitarians, in multicultural societies we can also encounter morally relevant inequalities generated by *societal endowments*. The latter are as much unchosen features of a person’s circumstances and are in line with the concept of equality as presented in section 3.

## 6.2 Reconsidering choices

In section 4 we saw that the notion of equal respect is strongly connected to choice. It was argued that government should respect personal autonomy and not interfere with the relations between preferences, ideas about the good life, the successive choices made, and the effects of these choices. Although choice is an important element in Dworkin’s theory, the concept itself is hardly elaborated. It can be described in three features.<sup>68</sup> First, choosing requires a *choice set*: a number of options (at least two) from which to can choose. Secondly, choosing depends on *preferences*: “comparative evaluative attitudes that permit the agent to rank the various elements in the choice-set in terms of their relative desirability.” Thirdly, choosing consists in a *selection process*: ranking the options and picking out the most preferred option.<sup>69</sup>

In ideal theory, individual choice is – by default – unproblematic. However, the capacity to make choices in a rational and informed way is not innate, instead, it must be developed in the course of one’s upbringing and education. This raises questions of social and cultural preconditions of choice, that are dealt with in Will Kymlicka’s *Multicultural Citizenship*. His aim is “to show that the liberal value of freedom of choice has certain cultural preconditions, and hence that issues of cultural membership must be incorporated into liberal

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<sup>67</sup> Ibid., p. 16.

<sup>68</sup> Meir Dan-Cohen, “Conceptions of Choice and Conceptions of Autonomy,” *Ethics* 102 (1992), p. 222; John Rawls, *A Theory of Justice* (Oxford: Oxford University Press, 1971), p. 124.

<sup>69</sup> Dan-Cohen also describes a fourth feature: “Finally, choosing involves opportunity costs, roughly, the value to the agent of the opportunities forgone in favor of the selected option.” Dan-Cohen, “Conceptions of Choice,” p. 221. This element is less important for our discussion because it is not an element of the process of choosing, but a result of that process.

principles.”<sup>70</sup> The theoretical background against which Kymlicka develops his *Liberal Theory of Minority Rights* is liberal egalitarianism, as defended by Dworkin and Rawls.<sup>71</sup> Moreover he endorses the choice-endowment distinction as described by Dworkin and formulated here as the ideal of equality.<sup>72</sup>

To what extent are choice and culture related? “Put simply, freedom involves making choices amongst various options, and our societal culture not only provides these options, but also makes them meaningful to us.”<sup>73</sup> Individuals make choices on the basis of their preferences: beliefs about the value of several options. But where do these beliefs come from? The freedom of choice is not “free-floating in the void.”<sup>74</sup>

To have a belief about the value of a practice is, in the first instance, a matter of understanding the meaning attached to it by our culture. ... The availability of meaningful options depends on access to a societal culture, and on understanding the history and language of that culture – its ‘shared vocabulary of tradition and convention.’<sup>75</sup>

So both individual preferences and the selection process are influenced by upbringing and socialization in a *societal culture*, defined by Kymlicka as: “A culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres. These cultures tend to be territorially-concentrated, and based on a shared language.”<sup>76</sup> This societal culture serves as the context of individual choice, and therefore provides the institutional background for individual freedom of choice.

Liberal-egalitarians do not disagree here.<sup>77</sup> Dworkin, for example, argues that culture “provides the spectacles through which we identify experiences as valuable”<sup>78</sup> and therefore: “We inherited a cultural structure, and we have some duty, out of simple justice, to leave that structure at least as rich as we found it.”<sup>79</sup> Kymlicka and Dworkin disagree, however, about the question whether this societal culture is equally available. Dworkin assumes the borders of the societal culture overlap with the borders of nation states. He tends to think of culture as a kind of societal “public good” – important but equally available to all members of society, and therefore unproblematic from an egalitarian point of view. Dworkin never makes this assumption explicitly, but it seems implicit throughout his work, and this could explain why he never

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<sup>70</sup> Kymlicka, *Multicultural Citizenship*, p. 76.

<sup>71</sup> *Ibid.*, p. Ch. 5.

<sup>72</sup> Kymlicka, *Liberalism, Community, and Culture*, pp. 38, 186; *Multicultural Citizenship*, pp. Ch.5, esp. pp. 80-82; *Contemporary Political Philosophy*, p. ch.4.

<sup>73</sup> Kymlicka, *Multicultural Citizenship*, p. 83.

<sup>74</sup> *Ibid.*, p. 76.

<sup>75</sup> *Ibid.*, pp. 76 & 83, referring to Dworkin.

<sup>76</sup> *Ibid.*, p. 76.

<sup>77</sup> Dworkin discusses this subject in Ronald Dworkin, “Liberal Community,” *California Law Review* 77, no. 3 (1989); “Can a Liberal State Support Art?,” in *A Matter of Principle* (Cambridge (Mass.): Harvard University Press, 1985).

<sup>78</sup> Dworkin, “Can a Liberal State Support Art?,” p. 228.

<sup>79</sup> *Ibid.*, pp. 232-233.

discusses the potential for inequality stemming from cultural differences. It is reflected in several passing references he makes to citizens sharing a common language and culture, having “a shared vocabulary of tradition and convention.”<sup>80</sup> He also suggests that the United States contains a single “cultural structure” based on and related to a “shared language.”<sup>81</sup> Kymlicka emphasizes the multicultural character of contemporary liberal democratic societies. He distinguishes two main sources of cultural diversity. The first is *multi-nationality*, which refers to the coexistence of more than one nation within a state, where ‘nation’ means a historical community more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and culture.<sup>82</sup> Examples of multi-national states are Belgium (inhabited by Walloons, Flemish and a small German nation) and, of course, Canada (inhabited by an Anglophone and a Francophone nation and Aboriginal groups). The second form of cultural diversity is *poly-ethnicity*, which refers to a diversity in society as a result of immigration of individuals and families from other states (and cultures) and who are allowed “to maintain some of their ethnic particularity.”<sup>83</sup> Examples of immigration countries are Canada, the United States and Australia. Described this way, states can be both multi-national and poly-ethnic – as for example Canada is.

Culture as a context of choice is not a matter-of-course for national minorities and ethnic minorities. Kymlicka asserts governments should support national minorities which seek to *preserve* their distinct societal culture and support ethnic groups that seek to *integrate into* the dominant societal culture of their new state, while maintaining their ethnic distinctiveness. Kymlicka discusses three sorts of rights to support the culture as a context of choice for these minority groups.<sup>84</sup> Kymlicka’s work is in line with the choice-element of the ideal of equality:

Inequalities in the advantages people enjoy due to choices about the good life are seen as part of the personal autonomy and responsibility and therefore morally legitimate.

Kymlicka emphasizes the fact of cultural diversity in contemporary societies as potential cause of inequality that is ignored by Dworkin and other liberal egalitarians. Multi-nationality and poly-ethnicity undermines the liberal assumption that all members of society share one single context of choice. Since choices are made in a cultural environment, and since these contexts of choice differ in multicultural societies, the choice-endowment distinction, so clear as an analytical device, is complicated outside the context of ideal theory in real multicultural societies. Therefore Kymlicka uses Dworkin’s emphasis on choice to defend group-specific rights for minority groups.

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<sup>80</sup> Ronald Dworkin, *A Matter of Principle* (Cambridge, Mass.: Harvard University Press, 1985), p. 231.

<sup>81</sup> *Ibid.*, pp. 231-233; Dworkin, “Liberal Community,” p. 488.

<sup>82</sup> Kymlicka, *Multicultural Citizenship*, p. 11.

<sup>83</sup> *Ibid.*, p. 14.

<sup>84</sup> *Ibid.*, pp. 27-33.

## 7 The relation between the two conceptions of equality

Let me recapitulate the argument so far. I have given a concept of equality – the ideal propagating that government should protect individual autonomy and responsibility and eliminate unchosen inequalities – and two conceptions thereof: socioeconomic redistribution in the welfare state and the accommodation of cultural difference in the multicultural society. The latter conception proposes some adaptations of the first. In a multicultural context, the term ‘endowment’ should not only include natural endowments but also societal endowments, whereas ‘choice’ presupposes a cultural context and that therefore the acknowledgement of cultural diversity generates unchosen inequalities between members of different cultural groups.

Let me discuss one possible counterargument against my analysis. One could object that I interpret the liberal-egalitarian conception of equality too narrowly in terms of socioeconomic redistribution. Dworkin, for example, is not only well known for his *What is Equality?* articles, but is also one of the most prominent defenders of the legality and justifiability of race and gender conscious policies of affirmative action.<sup>85</sup> One could argue that I overstate the dichotomy liberal-egalitarian and multiculturalism by interpreting liberal egalitarianism too narrowly. Let me discuss this argument by evaluating Dworkin’s work. Within the context of redistributive justice, Dworkin firmly holds on to the methodological individualism. Equality of resources (willfully) ignores socially generated inequalities, because “it aims to provide a description of (or rather a set of devices for aiming at) equality of resources person by person, and the considerations of each person’s history that affect what he should have, in the name of equality, do not include his membership in any economic or social class. ... [Therefore, equality of resources] proposes that equality is in principle a matter of individual right rather than one of group position.” He also emphasizes the strict individualist considerations underlying the choice-endowment distinction since it is based on “judgments about particular people’s particular tastes and ambitions, in the interests of giving them what they are, as individuals, entitled to have, rather than as part of any premise that equality is the matter of equality between groups.”<sup>86</sup> One could thus argue that equality of resources is insensitive to issues of cultural diversity.

In his work, Dworkin draws a principled and hierarchical distinction between equality of resources and affirmative action, based on his distinction between ‘policy’ and ‘principle.’ For Dworkin, a policy is a standard that sets out a goal to be reached, which is to be evaluated (only) in terms of the common good. A principle is a standard that is to be observed, not because enforcing it promotes the common good, but, instead, because it is a requirement of justice or fairness.<sup>87</sup> Policy decisions, on the other hand, might have unfavorable effects on persons, but do not violate their rights. For example, the rights of an impassioned swimmer are not violated if a city council, in making a policy decision between spending money on a swimming pool or a opera house, chooses to subsidize the latter. In general, policy decisions can only be

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<sup>85</sup> See e.g., Dworkin, *Taking Rights Seriously*, p. Ch 9; *A Matter of Principle*, p. Ch. 14 and 15; Ronald Dworkin, *Freedom’s Law: The Moral Reading of the Constitution* (Cambridge, Mass.: Harvard University Press, 1996), p. Ch.6; Dworkin, *Sovereign Virtue*, p. Ch. 11 and 12.

<sup>86</sup> Dworkin, *Sovereign Virtue*, pp. 114-115.

<sup>87</sup> Dworkin, *Taking Rights Seriously*, pp. 22-23.



assessed in consequentialist terms: which policy does the best job in increasing the common good? Dworkin claims that affirmative action programs, that is, issues of cultural diversity, are not a matter of principle but of policy.<sup>88</sup> The rights of whites, disadvantaged by affirmative action programs, are not infringed by that policy; on the other hand, blacks do not have a *right* to compel government to adopt such policies. That explains why Dworkin treats these issues separately: the issue of resource equality is seen as a requirement of justice and affirmative action as a matter of policy.

Andrew Altman has argued that Dworkin does not offer enough good reasons to maintain this distinction and claims that affirmative action should also be interpreted in terms of principles.<sup>89</sup> I agree with Altman; as I have argued in this chapter, socioeconomic redistribution and accommodation of cultural difference share the same concept of equality as the underlying ideal and can be seen as consistent and equivalent conceptions thereof. It is interesting that Dworkin now accepts – in his own ambiguous way – that the distinction can no longer be maintained. In his reply to Altman, Dworkin writes:

I agree that government has an obligation to treat all those subject to its dominion with equal concern, and that a government that does nothing to redress structural discrimination fails in that obligation. ... It is true ... that without some direct and positive action the American governments fail in their responsibilities to treat all citizens as equals, and that is a matter of principle and not just policy.”<sup>90</sup>

This seems to be an indirect way for Dworkin to admit that cultural difference is of normative importance and should be included in the normative framework of liberal egalitarianism.

## 8 Conclusion: is an Ideal-oriented Approach Helpful in Normative Debates?

In this chapter I have used an ideal-oriented approach to discuss the contemporary debate on equality. I followed assertion of the editors that we can understand normative debates as debates between different interpretations of the same ideal. At first sight there is a vast difference between the redistributive and the multicultural conception of equality. However, after distilling the more general ideal of equality, it was very well possible to understand the connection between their theories.

Although we should not overstate its effect, I think an ideal-oriented approach is helpful in analyzing debates in political philosophy. This chapter makes clear that an ideal-oriented approach is very helpful in reflecting on relations between different theories. Young and Kymlicka use the concept of equality to defend their position, however, their approach is very different from the mainstream liberal-egalitarian defenses. So an ideal-oriented approach is a helpful conceptual tool in analyzing debates in political philosophy because in this debate it provided a common frame of reference. I therefore assume that the editors mean *conceptual*

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<sup>88</sup> Dworkin, *Freedom's Law: The Moral Reading of the Constitution*, p. 155; *Taking Rights Seriously*, p. 22; Andrew Altman, “Policy, Principle, and Incrementalism: Dworkin’s Jurisprudence of Race,” *The Journal of Ethics* 5 (2001), p. 242 and 254.

<sup>89</sup> Altman, “Policy, Principle, and Incrementalism.”

<sup>90</sup> Ronald Dworkin, “replies to Endicott, Kamm and Altman,” *Journal of Ethics* 5 (2001), p. 267.

improvement when argue that: “In normative theory, recognition of the role of ideals is basically recognition of room for improvement.”<sup>91</sup>

The strength of the ideal-oriented approach is its ability to clarify ongoing debates, by separating the abstract concepts and ideals from their application in actual policy debates. In the case of liberal egalitarians, the emphasis on the underlying ideal of equality enables us to criticize their single minded focus on socio-economic redistribution: why would this be the only legitimate interpretation of the maxim of equal respect and concern? In this sense, an ideal oriented approach is helpful for separating the rhetoric from the content. In the case of multiculturalism, this emphasis on the abstract egalitarian claim as the maxim of Young’s and Kymlicka’s claims is helpful in distinguishing their claims from more communitarian defenses of the recognition of identity groups, based on Hegel’s work, as presented by for example Charles Taylor and Axel Honneth.<sup>92</sup> Moreover, it shows the relations between Young and Kymlicka on the one hand, and liberal-egalitarians on the other on the other hand. So an ideal-oriented approach is helpful because it elucidates a debate, clarifies the diverse positions, and reveal differences and (unlooked-for) similarities between different positions.

The question remains, however, what the ‘ideal’-component adds to the more general idea of ‘concept.’ The distinction between concept and conception is the cornerstone of my paper, however, one could ask why this would support the claim that *ideals* are important. My answer is twofold. For one thing, the notion of ‘concept’ is more appropriate in conceptual and descriptive theories, whereas the notion of ‘ideal’ fits better in normative theories. Moreover, concepts can be formulated and defined very precisely – if so desired, provisionally or formal. Concepts refer to agreements to formulate specific issues within a theory in a specific way. Ideals, on the other hand, always refer to substantive ideas and transcend every attempt to enclose it in one single formulation.<sup>93</sup> Ideals can only be formulated *within* a specific context, e.g. the context of socioeconomic redistribution or the context of cultural diversity. None of these conceptions are a complete interpretation of the general ideal, and together they do not exhaust all possible interpretations of the ideal. To conclude: the concept of ‘ideal’ differs substantively from the concept of ‘concept’ and my discussion in this chapter shows the value of the former in debates in normative political philosophy.

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<sup>91</sup> Introduction to this volume 7 and 16.

<sup>92</sup> Taylor, “The Politics of Recognition.”; Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts*, trans. Joel Anderson (Cambridge: Polity Press, 1995).

<sup>93</sup> Wibren van der Burg, “The Morality of Aspiration,” in *Rediscovering Fuller. Essays on Implicit Law and Institutional Design*, ed. Willem Witteveen and Wibren van der Burg (Amsterdam: Amsterdam University Press, 1999), pp. 177-178.